

REMARKS

The amendments to the written description restore the serial number of the original priority application which through an oversight appeared to be in error. The original filing receipt issued by the United States Patent and Trademark Office shows the correct serial numbers in this regard.

Claims 82 and 88 respectively set out the composition and the method as comprising a dispersion of the superabsorbent polymer and a silicone which the written description supports on page 22, second full paragraph by describing the composition inter alia as comprising a "dispersion." Claims 88, 98 and 99 inter alia describe the composition on the substrate as one that protects the substrate from the affects of water or water migration, which the application supports at page 39, last three lines. The paragraph bridging pages 29 and 30 supports the particle size of the superabsorbent polymer as set out in claims 94 and 95.

Applicant points out that Examiner Tatyana Zalukaeva, Group Art Unit 1713 issued a notice of allowance on March 18, 2004 in Serial No. 10/317,775, filed December 12, 2002 by Serge Rebouillat et al. The electronic publication of this application on July 3, 2003 contains claims that are substantially the same as the claims in the present application.

In the March 25, 2004 communication, the examiner rejected claims 57-77 under 35 U.S.C. § 103(a) as unpatentable over Iri et al., United States Patent No. 4,711,523, or Freeman, United States Patent No. 5, 218,011 each in view of Marciano-Agostinelli et al. United States Patent No. 5,049,593. Applicant, however cancelled these claims without prejudice or disclaimer on May 13, 2003 and added claims 78-81 to the application.¹ The present

¹ Cf. Amendment received in the Patent Office on May 16, 2003.

amendment now cancels claims 78-81 without prejudice or disclaimer and adds new claims 82-99 as described above.

These claims distinguish the references the examiner relied on in the March 25, 2004 rejection in that they cover compositions comprising a dispersion of superabsorbent polymers and silicones. The references do not teach or suggest dispersions of the two.

Respectfully submitted,

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